

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

565J0625

## SENATE JUDICIARY COMMITTEE ENGROSSED NO. **SB 96** - 01/30/2004

Introduced by: Senators Schoenbeck, de Hueck, and Knudson and Representatives Konold, Madsen, McCaulley, Murschel, and Solum

1 FOR AN ACT ENTITLED, An Act to provide for the creation of county interdisciplinary child  
2 information teams and to regulate their memberships, authority, and responsibilities.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. The following persons and agencies operating within a county may, by written  
5 agreement, form a county interdisciplinary child information team:

6 (1) The state's attorney;

7 (2) The county sheriff;

8 (3) The chief of police of any municipality;

9 (4) The superintendent or the chief executive officer of any school district;

10 (5) The Department of Social Services;

11 (6) The Department of Corrections; and

12 (7) The administrator of the county teen court.

13 Section 2. The persons and agencies signing a written agreement to form a county  
14 interdisciplinary child information team may, from time to time, by majority vote, allow the  
15 following persons to sign the written agreement and join the team:



- 1       (1)   Any physician, psychologist, psychiatrist, nurse, or other provider of medical and  
2            mental health care;
- 3       (2)   Any administrator of any private elementary and secondary school;
- 4       (3)   Any attorney practicing law in the county; and
- 5       (4)   Any responsible person that has a legitimate interest in one or more of the children  
6            that the team is serving.

7       Section 3. The county interdisciplinary child information team may form one or more  
8   auxiliary teams for the purpose of providing service to a single child, a group of children, or  
9   specific children with a particular type of problem, or for any other purpose. Each auxiliary team  
10   is subject to the written agreement. Each member of an auxiliary team must be a person who has  
11   personal knowledge of or experience with some child serviced by the auxiliary team.

12       Section 4. The purpose of the county interdisciplinary child information team and of the  
13   written agreement is to facilitate the exchange and sharing of information that one or more team  
14   members may be able to use in serving a child in the course of their professions, specialties,  
15   interests, or occupations. Information regarding any child that a team member supplies to other  
16   team members may not be disseminated beyond the team.

17       Section 5. The terms of the written agreement shall provide for the rules under which the  
18   team will operate, the method by which information will be shared, distributed, and managed,  
19   and any other matters necessary to the purpose and functions of the team.

20       Section 6. To the extent that the county interdisciplinary child information team is involved  
21   in a proceeding that is held prior to adjudication by a court, the team satisfies the requirements  
22   of 20 U.S.C. 1232g(b)(1)(E)(ii)(I) of the Family Educational Rights and Privacy Act of 1974.  
23   South Dakota school districts may release education records to the team. The terms of the  
24   written agreement, as provided for in section 5 of this Act, shall include a requirement that the

1 officials and authorities to whom the information is disclosed certify in writing to the school  
2 district that is releasing the education records that the education records or information from the  
3 education records will not be disclosed to any other party without the prior written consent of  
4 the parent or guardian of the student.